



GLENDALE CITY COUNCIL MEETING
Council Chambers
5850 West Glendale Avenue
February 27, 2007
7:00 p.m.

CALL TO ORDER – PLEDGE OF ALLEGIANCE

APPROVAL OF THE [MINUTES OF FEBRUARY 13, 2007](#)

BOARDS AND COMMISSIONS

[BOARDS AND COMMISSIONS](#)

PROCLAMATIONS AND AWARDS

[INCLUSIVE COMMUNITIES INITIATIVE PROCLAMATION](#)

[BEST BUDDIES DAY PROCLAMATION](#)

CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. If you would like to comment on an item on the consent agenda, please come to the podium and state your name, address and item you wish to discuss.

1. [LIQUOR LICENSE NO. 3-1105 MARISCOS LAS ISLAS DEL CAPITAN #2](#)
2. [PUBLIC ART CONTRACT FOR DOWNTOWN ART FEATURE](#)
3. [APPROVAL OF PURCHASE ORDER TO McNEILUS TRUCK & MANUFACTURING COMPANY](#)
4. [AWARD OF COOPERATIVE PURCHASE OF PAVING MATERIALS](#)
5. [FINAL PLAT APPLICATION FP04-10: CYPRUS GARDENS – 8280 NORTH 59TH AVENUE](#)

6. [CHANGE ORDER TO CONSTRUCTION CONTRACT FOR THE REGIONAL PUBLIC SAFETY TRAINING CENTER PHASE ONE CONSTRUCTION](#)
7. [CONTINGENCY FUND TRANSFER FOR THE REGIONAL PUBLIC SAFETY TRAINING CENTER](#)
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CONSENT RESOLUTIONS

9. [INDUSTRIAL DEVELOPMENT AUTHORITY REVENUE REFUNDING BONDS FOR MIDWESTERN UNIVERSITY](#)
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13. [2007-2008 COUNCIL STRATEGIC GOALS AND KEY OBJECTIVES](#)

PUBLIC HEARING – LAND DEVELOPMENT ACTIONS

14. [PROPOSED ANNEXATION NO. 167: PALM CANYON – 17750 NORTH 83RD AVENUE](#)

LAND DEVELOPMENT ACTIONS - ORDINANCES

15. [ANNEXATION AREA NO. 165 ORDINANCE: SIGNATURE AT ORANGEWOOD ESTATES – 8051 WEST ORANGEWOOD AVENUE](#)
16. [OFFICIAL SUPPLEMENTARY ZONING MAP ZMA-13](#)

NEW BUSINESS

17. [REAPPOINTMENT OF PRESIDING JUDGE](#)

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

CITIZEN COMMENTS

If you wish to speak on a matter concerning Glendale city government that is not on the printed agenda, please fill out a Citizen Comments Card located in the back of the Council Chambers and give it to the City Clerk before the meeting starts. The City Council can only act on matters that are on the printed agenda, but may refer the

matter to the City Manager for follow up. Once your name is called by the Mayor, proceed to the podium, state your name and address for the record and limit your comments to a period of five minutes or less.

COUNCIL COMMENTS AND SUGGESTIONS

ADJOURNMENT

Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (i) discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));**
- (ii) discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03 (A)(2));**
- (iii) discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));**
- (iv) discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (A)(4));**
- (v) discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or**
- (vi) discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).**

CALL TO ORDER – PLEDGE OF ALLEGIANCE

APPROVAL OF THE [MINUTES OF FEBRUARY 13, 2007](#)

BOARDS AND COMMISSIONS

[BOARDS AND COMMISSIONS](#)

Purpose: This is a request for City Council to approve the recommended appointments to the following boards and commissions that have a vacancy or expired term and for the Mayor to administer the oath of office to those appointees in attendance.

| <u>Arts Commission</u> | | | Effective | Expiration |
|---|----------|----------------|------------------|-------------------|
| Kathleen Roe – Vice Chair | Yucca | Appointment | 2/27/2007 | 9/27/2007 |
| <u>Citizens Advisory Commission on Neighborhoods</u> | | | | |
| Sharon Brown | Sahuaro | Appointment | 2/27/2007 | 6/30/2008 |
| Marianne DelDebbio | Ocotillo | Appointment | 2/27/2007 | 6/30/2007 |
| <u>Citizens Transportation Oversight Commission</u> | | | | |
| Teresa Collette | Sahuaro | Appointment | 2/27/2007 | 3/25/2009 |
| <u>Commission on Persons With Disabilities</u> | | | | |
| Dwante Jackson | Yucca | Re-appointment | 2/27/2007 | 2/27/2009 |
| Richard Bailey | Ocotillo | Re-appointment | 2/27/2007 | 2/27/2009 |
| Kathryn McKinney | Cactus | Re-appointment | 3/22/2007 | 3/22/2009 |
| Kathryn McKinney – Vice Chair | Cactus | Appointment | 2/26/2007 | 2/26/2008 |
| <u>Library Advisory Board</u> | | | | |
| John Geurs | Ocotillo | Appointment | 2/27/2007 | 4/13/2009 |
| JoAnn Lee – Vice Chair | Cholla | Appointment | 4/13/2007 | 4/13/2008 |
| <u>Parks & Recreation Advisory Commission</u> | | | | |
| Ted Hansen – Chair | Cholla | Re-appointment | 2/26/2007 | 2/26/2008 |
| <u>Planning Commission</u> | | | | |
| Natalie Stahl | Ocotillo | Re-appointment | 3/25/2007 | 3/25/2009 |

Recommendation: Make appointments to the Boards and Commissions and administer the Oaths of Office.

PROCLAMATIONS AND AWARDS

INCLUSIVE COMMUNITIES INITIATIVE PROCLAMATION

Purpose: This is a request for the City to participate in the National League of Cities “Partnership for Working Toward Inclusive Communities” and to proclaim Glendale’s commitment to promoting diversity and the inclusion of all in our community and city programs and services.

Background: The National League of Cities (NLC) “Inclusive Communities” initiative grew from an effort launched in 2000 to challenge city leaders throughout the country to improve race relations in their communities. Several cities in Arizona are participating in the initiative: Avondale, Tempe, Yuma, Chandler, and Flagstaff.

The 2006 NLC Inclusive Communities Initiative was developed to encourage communities to: adopt policies and programs which encourage connecting all residents to local government; view community diversity as an asset; promote residents participation in collective efforts to build community and address local needs; develop local policies to reflect a commitment to fairness and equal opportunity; encourage city leaders to speak out on behalf of those who are unable to do so; and adopt city employment practices that show an appreciation and commitment to diversity.

Recommendation: Proclaim the City of Glendale, Arizona, as an “Inclusive Community.”

BEST BUDDIES DAY PROCLAMATION

Purpose: This is a request for the City Council to proclaim March 3rd, 2007 as Best Buddies Day in Glendale. Best Buddies is a nonprofit organization that serves youth with intellectual disabilities by providing peer mentors and a host of other programs.

Kathleen Rubi, State Director of Best Buddies, will be present to accept the proclamation.

Background: Anthony Kennedy Shriver founded best Buddies in 1989. They have grown from one chapter to serving over 1300 schools across the country and internationally. Best Buddies is a nonprofit organization dedicated to enhancing the lives of people with intellectual disabilities by providing opportunities for peer mentoring for youth; one-on-one friendships; and integrated employment.

Recommendation: Present the proclamation to Kathleen Rubi, State Director of Best Buddies, proclaiming March 3rd as Best Buddies Day in Glendale.

CONSENT AGENDA

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motion. If you would like to comment on an item on the consent agenda, please come to the podium and state your name, address and item you wish to discuss.

1. [LIQUOR LICENSE NO. 3-1105 MARISCOS LAS ISLAS DEL CAPITAN #2](#)

Purpose: This is a request for City Council to approve a new Series 12 (Restaurant – All Liquor) license for Mariscos Las Islas del Capitan #2, located at 5131 West Glendale Avenue. The Arizona State application (number 12076965) was submitted by Juan Diego Arriaga Perez.

Background: The 60-day deadline for processing this application is March 10, 2007. The location of the establishment is 5131 West Glendale Avenue and is within the Ocotillo District, zoned C-2 (general commercial). Far East Catering has operated at this location from February 1983 to present under the ownership of May Yee Joe. There was a Series 12 liquor license at this location from February 1983 to December 2006. The population density is 7,253 people per square mile. The approval of this license will not increase the total number of liquor licenses in this area. The number of liquor licenses within a one-mile radius is 29 as listed below:

| Series | Type | Quantity |
|--------|----------------------------|-----------|
| 6 | Bar – All Liquor | 3 |
| 7 | Bar – Beer & Wine | 4 |
| 9 | Liquor Store – All Liquor | 2 |
| 10 | Liquor Store – Beer & Wine | 7 |
| 12 | Restaurant – All Liquor | 11 |
| 14 | Private Club | 2 |
| | Total | 29 |

Previous Council/Staff Actions: No previous action has occurred.

Public Input: No protests were received during the 20-day posting period.

Recommendation: The City of Glendale Planning and Police Departments, as well as the Maricopa County Health Department have reviewed the application and determined that it meets all technical requirements. Therefore, it is staff's recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

2. [PUBLIC ART CONTRACT FOR DOWNTOWN ART FEATURE](#)

Purpose: This is a request from the Glendale Arts Commission for the City Council to enter into a contract with artist Howard Meehan for the Downtown Art Feature, which is part of the Downtown Pedestrian Enhancements project. The site for this project is located on the northeast corner of Grand and Myrtle avenues. The contract amount and contingency will not exceed \$216,000.

Council Strategic Goals Or Key Objectives Addressed: This public art project addresses the Council's strategic goal of "One Community with a Vibrant City Center" through artistic enhancements to the downtown area.

Background: This project was initiated by the city's historic preservation program requesting a partnership with the Arts Commission to enhance and redevelop the historic property at 6024 West Myrtle Avenue as an art feature. The goal is to provide visitors to the downtown area traveling on Grand Avenue an art feature acknowledging the historic significance of downtown Glendale.

The site is located adjacent to the NAPA Auto Parts store on Myrtle Avenue and features two historic buildings, an adobe house and gas station. Restoration of the historic structures is not part of the art project, but is a goal for the future.

The Arts Commission selected Howard Meehan from Santa Fe, New Mexico as the project artist. His experience with similar projects includes the Palm Desert Civic Center, Palm Desert, California; Scott Matheson Courthouse, Salt Lake City, Utah; University of Oregon Athletic Center, Eugene, Oregon; and Sullivant Plaza for the Ohio Department of Transportation and Public Safety, Columbus, Ohio. The artist is collaborating with the design team led by Kimley-Horn and Associates for the Downtown Pedestrian Enhancements project.

The artist designed the 204' by 128' site for the art feature as a small urban park, which celebrates Glendale's history. The art feature will be adorned with bronze plaques, seating, landscaping, lighting and five parking spaces. The artist will work with the Glendale Arizona Historical Society to determine the historical content to be showcased at the art feature. The appearance of the art feature will be compatible with the historical look of the downtown area.

Previous Council/Staff Actions: Since 1983, it has been the city's policy to enhance municipal buildings and other public facilities with works of art, using funding provided by one percent of capital construction projects.

The Arts Commission unanimously approved the artist and his design concept on April 19, 2006.

Community Benefit: The project will enhance and beautify the northwestern entrance to the historic downtown area and bring new public art to the community. The placement of this project will contribute to the Arts Commission's goal to ensure public art is distributed throughout the city.

Public Input: The Arts Commission began the process with a national call to artists. A selection panel comprised of Arts Commission and design team members was assembled to review applications, plan and implement the project. The selection panel reviewed applications from 61 artists representing 20 states and they recommended an artist on the basis of experience with past similar projects and his vision for Glendale's project.

Input for this project was garnered through 40 written surveys completed by residents and business people attending the May 15, 2006, Downtown Information Fair and the August 28, 2006, Downtown Pedestrian Enhancements Open House.

Budget Impacts & Costs: The project budget of \$180,000, plus \$36,000 for contingency, comes from the Arts Commission Fund.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-----------|
| | X | X | X | | \$216,000 |

Account Name, Fund, Account and Line Item Number:

Arts Commission, Account No.1220-84650-518200

Recommendation: Authorize the City Manager to enter into a public art contract with Howard Meehan for the Downtown Art Feature and site improvements in an amount not to exceed \$216,000.

3. [APPROVAL OF PURCHASE ORDER TO MCNEILUS TRUCK & MANUFACTURING COMPANY](#)

Purpose: This is a request for City Council to approve a purchase order not to exceed \$100,000 with McNeilus Truck & Manufacturing Company for the service and repair of McNeilus sanitation trucks. The Sanitation and Equipment Management divisions are experiencing an increase in repairs and replacement parts needed to maintain the city's 12 McNeilus side-loading residential refuse trucks. Estimated repairs and service are not expected to exceed \$100,000 for FY 2006-07.

Background: The city owns 12 McNeilus sanitation trucks that require the lifting arms be rebuilt at a cost of \$14,000 per occurrence. The ability to conduct arm rebuilding exceeds the expertise of the Equipment Management staff. McNeilus has the only shop in the metropolitan area that has the trained staff and equipment available to perform these repairs. Currently three automated arms have been rebuilt in the last six months and we anticipate two additional arms to be rebuilt this fiscal year. The hydraulic lifting arms complete over 260,000 lifting cycles annually and this volume requires the occasional need for rebuilding arms.

Eight of the 12 trucks were purchased in December 2001 and the other four trucks were delivered in November 2002. These trucks are scheduled to be replaced starting in the FY 2009-10 capital improvement program with the final trucks replaced in FY 2011-12 capital improvement program.

Community Benefit: Approval of this request will help assure that sanitation residential service vehicles are fully operational and available to provide service to residents in an efficient and cost effective manner.

Budget Impacts & Costs: Funds and appropriation authority for the increase in repair part costs with McNeilus are available in the sanitation division budget.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-----------|
| | | | X | | \$100,000 |

Account Name, Fund, Account and Line Item Number:

Curb Service, Account No. 2480-17830-518200

Recommendation: Authorize the City Manager to approve a purchase order for \$100,000 in FY 2006-07 for McNeilus Truck and Manufacturing Company for repairs and service.

4. [AWARD OF COOPERATIVE PURCHASE OF PAVING MATERIALS](#)

Purpose: This is a request for City Council to approve a cooperative purchase agreement for asphalt paving materials to be used by the Field Operations Department Streets Division. This agreement with the City of Phoenix provides for hot and cold paving materials on an “as needed” basis to be obtained through Vulcan Materials as the primary supplier for hot asphalt mix; Fisher Sand and Gravel as the secondary supplier for hot asphalt mix; and Mesa Materials as the primary supplier for cold asphalt mix.

Background: The Streets Division uses asphalt paving materials on an “as needed” basis for the repair and maintenance of city streets. The City of Phoenix recently awarded Invitation for Bid 07-057, Hot and Cold Paving Materials. The estimated quantity that Phoenix uses is more than five times the amount that Glendale uses in an average year. Glendale could not have obtained a better price by doing its own solicitation.

This bid award was divided into two sections, one for hot mix paving materials and one for cold and the bid specifications allow for a multiple award to a primary and secondary supplier. The secondary supplier will be contacted only if the primary supplier is unable to provide an item within the required time frame. The initial term of the agreement became effective February 7, 2007 and continues until January 31, 2008. The bid specifications contain an option clause that permits the City of Phoenix, at the discretion of the Phoenix City Manager, to extend this agreement for four additional years, in one-year increments.

Previous Council/Staff Actions: On November 13, 2001, Council previously approved the cooperative purchase of asphalt paving materials through a City of Phoenix contract.

Community Benefit: Obtaining asphalt paving material used in street repairs at a competitive price will help to ensure the city’s street network is maintained in a safe, timely, and cost effective manner.

Budget Impacts & Costs:

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-----------|
| | | | X | | \$300,000 |

Account Name, Fund, Account and Line Item Number:

Street Maintenance, Account No. 1340-16720-524400

Recommendation: Authorize the City Manager to approve the cooperative purchase agreement for hot and cold asphalt paving materials on an “as needed” basis to Vulcan Materials as the primary supplier for hot mix; Fisher Sand and Gravel as the secondary supplier for hot mix; and Mesa Materials as the primary supplier for cold mix in an amount not to exceed \$300,000 per year.

5. [FINAL PLAT APPLICATION FP04-10: CYPRUS GARDENS – 8280 NORTH 59TH AVENUE](#)

Purpose: This is a request by Southwest Development for City Council to approve the final plat for Cyprus Gardens located at 8280 North 59th Avenue.

Council Strategic Goals Or Key Objectives Addressed: The proposed final plat is consistent with the General Plan designation of Medium-High Density Residential (MHDR) and the Multiple Residence (R-4) zoning district. This request meets the requirements of the Subdivision and Minor Land Division Ordinance.

Background: The applicant proposes a 48-unit condominium project on approximately 3.8 acres at a density of 12 dwelling units per acre. All units proposed are two-story and have 1,100 square feet of living area with common courtyards. There is also community open space provided that includes a pool and spa area, volleyball area, tot lot, picnic tables and barbeque areas.

Community Benefit: The project provides development of vacant property and provides housing that is compatible with the surrounding area.

Recommendation: Approve final plat application FP04-10.

6. [CHANGE ORDER TO CONSTRUCTION CONTRACT FOR THE REGIONAL PUBLIC SAFETY TRAINING CENTER PHASE ONE CONSTRUCTION](#)

Purpose: This is a request for City Council to approve a change order to the construction contract with D.L. Withers Construction, LC, in the amount of \$6,910,521 for the completion of the Phase One construction of the Regional Public Safety Training Center (RPSTC) and to approve \$589,479 for all associated design and architectural costs to the project. In addition, Council is being requested to approve the transfer of \$7,500,000 in FY 2006-07 carryover reserve appropriation authority.

Council Strategic Goals Or Key Objectives Addressed: The RPSTC will augment public safety's ability to train public safety personnel ensuring that Council's goal of, “One community focused on public safety for citizens and visitors,” will be accomplished.

Background: In the spring of 2005, Council was presented with a Public Safety Training Center master plan that identified the training needs for public safety personnel for the next 20 years. The construction of the training center was initially scheduled to be accomplished in three phases in five to seven years.

As it became apparent that certain aspects of the training facility needed to be built earlier than planned, a compressed schedule of construction was created. Construction commenced in November of 2005 and it is anticipated that construction of the Phase One Master Plan will be complete by mid-summer of 2007.

Previous Council/Staff Actions: On August 26, 2006, Council approved the third construction contract with D.L. Withers for the construction of the training building, training props, police firing range, associated parking and landscaping of the driving training track.

On March 28, 2006, Council approved the second construction contract with D.L. Withers Construction, LC, for the construction of the administration and classroom building, associated underground utilities, a section of the parking lot and a section of the landscaping.

On March 14, 2006, Council approved an Intergovernmental Agreement with the cities of Avondale, Peoria and Surprise, and the MCCD for the financial and operational partnership of the training center.

On July 26, 2005, Council approved the first construction contract with D.L. Withers Construction, LC, for the construction of the earthen levee and rough site grading in the amount of \$7,596,339.

On June 28, 2005, Council awarded a professional services contract to Lawrence Enyart Architects for design and construction administration services, and a Construction Manager at Risk contract to D.L. Withers Construction, LC, for design support services.

In July 2004, Council approved a contract with Lawrence Enyart Architects (LEA) to develop the RPSTC Master Plan. The project was presented at council budget workshops on April 5 and 19, 2005 and approved as part of the FY 2005-06 budget.

Community Benefit: The RPSTC will provide the Glendale Fire and Police Departments the ability to train public safety employees to meet current and future needs. The RPSTC provides for all levels of training for the fire department including recruit, advanced and specialized training. The police will focus on the advanced officer training including defensive tactics, fire arm shooting and drivers' training.

Budget Impacts & Costs: The RPSTC will require an additional \$7,500,000 for the completion of Phase One of the Regional Public Safety Training Center Master Plan. The upcoming 2007 General Obligation bond sale will cover this additional cost.

To facilitate this transaction, a transfer of \$7,500,000 in appropriation authority only is required from carryover reserve appropriation to 2040-75019-551200, Public Safety Training Facility, Phase I.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-------------|
| | X | | | X | \$7,500,000 |

Account Name, Fund, Account and Line Item Number:

EOC/Training Facility Phase I, Account No. 2040-75019-551200

Recommendation: Approve the change order to the third construction contract with D.L. Withers Construction, LC, in the amount of \$6,910,521, approve \$589,479 for all associated design and architectural costs to the project, and approve the transfer of \$7,500,000 in FY 2006-07 carryover reserve appropriation authority.

7. [CONTINGENCY FUND TRANSFER FOR THE REGIONAL PUBLIC SAFETY TRAINING CENTER](#)

Purpose: This is a request for City Council to transfer General Fund contingency appropriation authority and funds to provide funding for the Regional Public Safety Training Center (RPSTC). The funding will be used for operations and maintenance of the RPSTC and for 10 new full-time employees (FTE) to manage the RPSTC programs.

Council Strategic Goals Or Key Objectives Addressed: The RPSTC will augment public safety's ability to train public safety personnel ensuring that Council's goal of, "One community focused on public safety for citizens and visitors," will be accomplished.

Background: During the FY 2006-07 budget process, Council directed the Fire Department to bring forward a request for a contingency transfer for operations and maintenance of the RPSTC and to purchase the required training equipment, supplies and educational materials necessary to open the RPSTC. The Fire Department anticipates hosting the inaugural recruit fire-fighter training academy during the first quarter of FY 2007-08.

Community Benefit: The RPSTC will be unique in its approach to training and the number of emergency response disciplines that will be offered in one location. The new training center will provide the fire and police departments the tools required to train new firefighters and police officers to conduct their jobs in an effective and safe manner while providing high quality services to the citizens of Glendale.

Budget Impacts & Costs: The current budget for FY 2006-07 is \$349,546 for ongoing expenses. The RPSTC will require an additional \$1,227,644 of one-time appropriation authority in Fund 2530 for the remainder of FY 2006-07, for a total budget appropriation of \$1,577,190.

It is estimated that Glendale's general fund share of the additional \$1,227,644 appropriation authority needed for the remainder of FY 2006-07 will total \$1,060,086, with the balance of \$167,558 to be covered by our partners.

This transaction for FY 2006-07 requires the transfer of general fund appropriation authority and funds of \$1,060,086 from FY 2006-07 General Fund Contingency, Account No. 1000-11901-510200, to the appropriate accounts within the PS Training Fac – Fire (1000-12521) and PS Training Fac – Police (1000-12232) divisions. This transaction will result in a reduction of General Fund contingency appropriation authority and funds.

Of the 10 additional FTE's requested, two FTEs (fire captains) are needed to work solely with Glendale trainees. The ongoing cost for these two additional FTEs is \$57,576 for four months of the current fiscal year. This amount will be added to the \$1,060,086 general fund contingency request for FY 2006-07, for a total of \$1,117,662.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-------------|
| | | X | | X | \$1,117,662 |

Funds will be distributed to the appropriate line items within the following divisions of the General Fund (Fund 1000) upon approval using the General Fund Contingency Account:

PS Training Fac – Fire 1000-12521
PS Training Fac – Police 1000-12232

Funds will be distributed to the appropriate line items within the following divisions of the RPSTC (Fund 2530) upon approval using carryover reserve appropriation:

PS Training Ops – Fire 2530-12590
PS Training Ops – Police 2530-12390
PS Training Ops – Fac Mgt 2530-13480

Recommendation: Authorize the transfer of \$1,117,662 in FY 2006-07 General Fund contingency appropriation authority and funds; authorize the transfer of \$1,227,644 of carry-over reserve appropriation authority only and; authorize the creation of ten full-time employees for the operation and maintenance of the Glendale Regional Public Safety Training Center.

8. AWARD OF CONSTRUCTION CONTRACT FOR DOWNTOWN PARKING STRUCTURE

Purpose: This is a request for City Council approval of a Construction Manager at Risk (CMAR) contract with McCarthy Company for the first of two phases of construction of the downtown parking structure at 5800 West Palmdale. The first construction phase includes site grading, relocation of existing utilities, excavation of the basement and construction of the basement walls and foundations.

Council Strategic Goals or Key Objectives Addressed: Council has a strategic goal of "One Community with a Vibrant City Center" which specifies that a new parking structure should be constructed in the downtown area.

Background: In October 2006, Dick and Fritsche Design Group (DFDG) completed a parking garage feasibility study which evaluated several sites for location of a downtown parking structure. They recommended the parking lot located at 5800 West Palmdale, north of the Bank of America building, as the best site for a 600-space mixed-use parking garage.

Construction of the parking structure will begin in March 2007 and is expected to be completed by end of this calendar year.

Previous Council/Staff Actions: On December 12, 2006, Council approved a contract with DFDG for architectural services on the parking structure and a CMAR Agreement with McCarthy Company to provide design support services.

Council provided guidance at the September 5, 2006 workshop to continue with planning for a downtown parking garage.

On June 27, 2006, Council approved the FY 2006-07 Capital Improvement Projects Budget which includes funding for a downtown parking structure.

On May 9, 2006, Council approved the selection of DFDG to complete a feasibility study for a downtown parking structure.

Community Benefit: A parking structure in the downtown will provide safe, accessible parking in order to encourage citizens and visitors to frequent the shops, restaurants and events held within the downtown area.

Additional structured parking provides more efficient land utilization and can be designed to allow ground floor retail. A multi-use parking structure will benefit the Glendale community and visitors who come to the downtown for shopping, city services and special events.

Pedestrian level retail will further enliven the streets around the garage and offer business opportunities that support Glendale's Dining District and downtown events.

In particular, Glendale Avenue businesses, Catlin Court shops; and the visitors to Civic Center and City Hall will enjoy the convenient, close parking that is currently in short supply.

Public Input: DFDG and McCarthy Company held a public meeting on December 20, 2006 at the Civic Center to discuss the construction schedule and receive citizen input on the design of the structure. There were 24 attendees.

A second public meeting will be scheduled in the near future to discuss the design concept and construction timeline.

Ongoing communication will be achieved through a monthly newsletter, the city's website, a 24-hour hotline, and periodic contractor updates. This plan is similar to the one used during the Grand Avenue construction and what is also being used by the Downtown Pedestrian Enhancement project.

Budget Impacts & Costs: Engineering Department staff negotiated a fee to cover the first phase cost in the amount of \$3,964,682. The final cost will be established once the design is complete and the remaining components bid. The Capital Improvements Plan funding account for this project is Downtown Parking Structure, Account No. 1980-68113-55120.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-------------|
| | X | | X | | \$3,964,682 |

Account Name, Fund, Account and Line Item Number:

Downtown Parking Structure, Account No. 1980-68113-551200

Recommendation: Authorize the City Manager to award the construction contract for the first phase of the downtown parking structure to McCarthy Company in the amount of \$3,964,682.

CONSENT RESOLUTIONS

9. [INDUSTRIAL DEVELOPMENT AUTHORITY REVENUE REFUNDING BONDS FOR MIDWESTERN UNIVERSITY](#)

Purpose: This is a request for City Council to adopt a resolution authorizing the issuance of Industrial Development Authority (IDA) bonds in an amount not to exceed \$70,000,000 to refinance bond indebtedness previously incurred for the benefit of Midwestern University.

Under the provisions of A.R.S. § 36-832, the city is not liable or obligated for the payment of the revenue bonds issued by the IDA.

Background: Under the provisions of A.R.S. § 35-271.B., the proceedings of the IDA for its issuance of bonds require the approval of the Council, acting as the governing body of the IDA. The IDA is empowered to issue bonds and to finance “projects” as defined in A.R.S. § 35-701. A “project” may be within or without the State of Arizona.

Previous Council/Staff Actions: In 2006, 2004, 2001, 1998 and 1996, the Council approved IDA revenue bonds to assist Midwestern University in financing the development of the improvements to the Glendale, Arizona and Downers Grove, IL campuses.

Public Input: The IDA held an open board meeting on February 6, 2007 to consider and approve the financing for the issuance of the refunding bonds. Also the public hearing required by the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) was held on February 9, 2007.

Recommendation: Waive reading beyond the title and adopt a resolution approving the proceedings of the Industrial Development Authority for the issuance of its revenue refunding bonds in an amount not to exceed \$70,000,000 for the benefit of Midwestern University.

10. DEVELOPMENT AGREEMENT WITH OPUS WEST CORPORATION

Purpose: This is a request for City Council to adopt a resolution authorizing the City Manager to enter into a Development Agreement with Opus West Corporation to construct Class-A corporate offices at Missouri and 99th avenues. The development will be called Glendale Corporate Center.

Council Strategic Goals Or Key Objectives Addressed: This project addresses Council goals of creating high quality development, bringing in new capital investment and sales tax revenue, encouraging economic development activity and aids in the creation of new jobs in the community.

Background: Opus West Corporation, a full service design build development firm, plans to develop 22 acres as a corporate office campus. It is anticipated that the Glendale Corporate Center will assist in the creation and retention of up to 1,500 jobs.

Per the development agreement, the city will reimburse up to \$325,000 for public off-site improvements along 99th Avenue; waive all building fees (except impact fees); abandon 40' of right-of-way on 99th Avenue to accommodate drainage; underground 12KV power lines adjacent to the property; allow appropriate signage along the Loop 101 frontage; and provide expedited review times for building plan review.

Opus West will construct the improvements in two phases. Phase One will consist of the construction of a total of 194,000 square feet. It will consist of: 109,000 square feet in a three-story building, 51,000 square feet in two, two-story buildings, and 34,000 square feet in two one-story buildings. Construction will begin no later than March 2007 and be completed by March 2008. Phase One represents a capital investment by the developer of more than \$38 million.

Phase Two will consist of construction of a 190,000 square foot, three-story building, planned to begin in September 2008 and to be completed by September 2009.

Community Benefit: This project will provide an opportunity for quality jobs for Glendale citizens, enhance the Loop 101 corridor with Class A office development, attract corporate commerce to the area and provide economic benefit to the city. The addition of new Class A offices along the Loop 101 corridor will serve as a catalyst in Glendale's efforts to attract corporate users that are seeking speculative office buildings to the area.

Budget Impacts & Costs: The city will reimburse up to \$325,000 of the cost for off-site improvements along 99th Avenue after substantial completion of Phase One.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-----------|
| | | X | X | | \$325,000 |

Account Name, Fund, Account and Line Item Number:

Rebates and Incentives, 1000-16210-517600

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into a Development Agreement with Opus West Corporation in an amount not to exceed \$325,000.

11. [NOTICE OF SPECIAL BOND ELECTION MAY 15, 2007](#)

Purpose: This is a request for City Council to adopt a resolution informing voters about important information regarding the Special Bond Election to be held May 15, 2007, as well as establishing polling place hours and locations pursuant to A.R.S. Sec. 16-228.

Council Strategic Goals Or Key Objectives Addressed: Municipal elections promote increased citizen involvement in all aspects of municipal government.

Previous Council/Staff Actions: On January 23, 2007, Council passed Resolution No. 4013, New Series, calling a Special Bond Election for Tuesday, May 15, 2007.

Recommendation: Waive reading beyond the title and adopt a resolution providing notice of the Special Bond Election May 15, 2007, pursuant to A.R.S. Sec. 16-228.

12. [ACQUISITION OF RIGHT-OF-WAY FOR THE GLENDALE ONBOARD TRANSPORTATION PROGRAM](#)

Purpose: This is a request for City Council to authorize the purchase of 2.60 acres of right-of-way at the southwest corner of Northern Avenue and Glen Harbor Boulevard from Bron-AZ Properties, LLC, for the Northern Parkway at a total cost of \$1,003,873.

Council Strategic Goals Or Key Objectives Addressed: One of Council's goals is "A City with High Quality Services for Citizens". Improving and providing transportation options within the city will assist in achieving this goal.

Background: In 2001, Glendale voters approved matching funds for the Northern Parkway between Grand Avenue and Loop 303. In 2004, voters of Maricopa County approved funding for the design and construction of the Northern Parkway. The purchase is a negotiated settlement based on two appraisals for this property.

The property to be acquired for the Northern Parkway is described below:

Southwest corner of Northern Avenue and Glen Harbor Boulevard

Bron-AZ Properties, LLC, owners of property located at the southwest corner of Northern Avenue and Glen Harbor Boulevard, will sell approximately 2.60 acres of property for \$1,003,873.

Previous Council/Staff Actions: The FY 2006-07 Capital Improvement Program approved by Council includes funding for this project from the half-cent transportation sales tax program.

On June 13, 2006, Council approved the General Engineering Consultant contract for the Glendale Onboard (GO) Transportation Program, which included completion of the Northern Parkway Design Concept Report.

Community Benefit: The Northern Parkway will provide a continuous high capacity roadway across the west valley. It will tie together the emerging western portion of Glendale and support economic development along the corridor.

Public Input: The Glendale Onboard Transportation Program provides multiple opportunities for public input. In 2006, an annual report was sent to all Glendale households; a transportation fair was held on April 9, 2006; and a community meeting for the annual report was held on April 19, 2006. Over the last three years, three corridor-wide public meetings and nine neighborhood public meetings have been held on the Northern Parkway.

Budget Impacts & Costs: Funds for right-of-way acquisition and improvements are budgeted as part of the GO Transportation Program.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-------------|
| | X | | X | | \$1,003,873 |

Account Name, Fund, Account and Line Item Number:

Northern Avenue Super Street, Account No. 2210-65016-550400 (\$763,267)

Northern Ave Pkway Prelim., Account No. 2210-65033-550400 (\$240,606)

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the City Manager to execute all documents necessary to purchase the right-of-way from Bron-AZ Properties, LLC for the Glendale Onboard (GO) Transportation Program in an amount not to exceed \$1,003,873.

13. [2007-2008 COUNCIL STRATEGIC GOALS AND KEY OBJECTIVES](#)

Purpose: This is a request for City Council to adopt its strategic goals and key objectives as discussed and developed at the November 27, 2006 Goal Review and Strategic Planning Retreat.

Council Strategic Goals Or Key Objectives Addressed: Council develops a broad, common vision for the future of Glendale and sets goals and objectives to provide staff direction and focus for the immediate future. City services, both on-going and those to be implemented, will reflect Council's strategic goals and key objectives.

Background: On November 27, 2006 Council participated in a Goal Review and Strategic Planning Retreat at which they conducted both a review of the current strategic goals and objectives adopted by Council on February 14, 2006 and a discussion on the city's future. This review and discussion provided the general direction and foundation for developing the proposed strategic goals and objectives to be adopted by Council.

Previous Council/Staff Actions: On November 27, 2006 Council participated in a Goal Review and Strategic Planning Retreat at which they conducted both a review of the current strategic goals and objectives adopted by Council on February 14, 2006 and a discussion on the city's future.

On February 14, 2006 Council adopted the strategic goals and key objectives for FY 2006-07.

On January 17, 2006 Council reviewed the Council Goal Setting and Strategic Planning Retreat final report from the consultant, Dr. Carol Nalbandian. Council provided direction at this workshop to bring the strategic goals and key objectives forward to a Regular Business Meeting for formal adoption by Council.

On November 10, 2005 Council participated in a Goal Setting and Strategic Planning Retreat to develop the current goals and key objectives for use by city staff in developing and implementing city services.

Community Benefit: A direct benefit of the Council's goal setting is to provide the community with clarity as to the city government's direction for the next 12 to 18 months. The seven strategic goals re-emphasize Council's long-standing commitment to provide a safe environment and the highest quality of services in the most fiscally prudent manner for Glendale's neighborhoods, businesses and Luke Air Force Base.

Public Input: Public awareness of the adopted Council Strategic Goals and Key Objectives document is promoted through the publication on the city's website and in its key financial documents such as the budget book. When Council conducts business at its meetings or is presented with information at workshops, staff provides written information that informs the Council and the public on the relevancy of the information to the Council's adopted strategic goals and key objectives.

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the Council Strategic Goals and Key Objectives of the Glendale City Council.

PUBLIC HEARING – LAND DEVELOPMENT ACTIONS

14. [PROPOSED ANNEXATION NO. 167: PALM CANYON – 17750 NORTH 83RD AVENUE](#)

Purpose: This is a request by Investment Equities for City Council to conduct a public hearing on the blank annexation petition for Annexation Area No. 167, as required by state statute. The vacant property consists of less than one acre and is located on the original 83rd Avenue alignment near the northwest corner of Bell Road and Loop 101. The property is proposed for office use and the owner is requesting annexation.

Council Strategic Goals Or Key Objectives Addressed: Glendale 2025, Glendale's General Plan, includes specific goals addressing the need for growth management: The Land Use Element, Goal 2 – "Promote sound growth management methods", and the Growth Areas

Element, Goal 3 – “Manage growth to achieve reasonable, responsible urban development.” Annexation is a tool that can be used by the city to direct and manage growth.

Background: The property is proposed to be developed as part of the Palm Canyon office condominium complex and is currently zoned R-43 (Rural Residential) in Maricopa County. Development of Palm Canyon will include 13 acres of property currently within the city, the less than one acre property within this annexation request, and a future 18-acre annexation/de-annexation with the City of Peoria.

The annexation will ensure that the development and all improvements are within the city and developed to city standards. If annexed into the city, this site will receive city services, including police, fire, water and sanitation services.

The blank annexation petition was recorded on January 30, 2007. This public hearing is being conducted during the last 10 days of the 30-day waiting period as required by state statute. Recording the blank petition is the first formal step taken in the annexation process. The next step is to hold a public hearing on the blank annexation petition. All property owners within the area to be annexed have been notified of this public hearing by first class mail. The proposed annexation area has been posted in at least three conspicuous places. The public hearing was advertised in the *Glendale Star* on February 8, 2007.

Once the public hearing has been conducted and the 30-day waiting period expires, the appropriate signatures may be gathered. Once the required number of property owner signatures requesting annexation is obtained, Council will be asked to consider the adoption of an annexation ordinance.

Previous Council/Staff Actions: At its November 21, 2006 workshop, Council directed staff to proceed with the annexation process for this site, as well as the subsequent 18-acre annexation/de-annexation with the City of Peoria.

Community Benefit: The annexation of this less than one acre area would require that any future development comply with the city’s current development standards and policies.

Recommendation: Conduct a public hearing on the blank annexation petition for Annexation Area No. 167 as required by state statute.

LAND DEVELOPMENT ACTIONS - ORDINANCES

15. [ANNEXATION AREA NO. 165 ORDINANCE: SIGNATURE AT ORANGEWOOD ESTATES – 8051 WEST ORANGEWOOD AVENUE](#)

Purpose: This is a request by Richmond American Homes, for City Council to adopt an annexation ordinance for Annexation Area No. 165, which consists of approximately 19 acres located at the southeast corner of 81st and Orangewood avenues.

Council Strategic Goals Or Key Objectives Addressed: Glendale 2025, the city's General Plan, includes specific goals addressing the need for growth management. The Land Use Element, Goal 2 – “Promote sound growth management methods” and the Growth Areas Element, Goal 3 – “Manage growth to achieve reasonable, responsible urban development”. Annexation is a tool that can be used by the city to direct and manage growth.

Background: The approximately 19-acre site is located at the southeast corner of 81st and Orangewood avenues within the Glendale strip annexation boundary. One individual owns the property and appropriate signatures have been gathered in support of annexation.

If annexed by the city, this area will receive city services that include police, fire, and sanitation services. The property is located within the city's water and sewer service areas and would be eligible for connection to these utilities once annexation has been completed. To provide comparable zoning with the existing county zoning, the initial Glendale zoning for the property will be R1-6 (Single Residence). All development that may occur on this parcel must comply with current Glendale development standards and policies.

Previous Council/Staff Actions: On November 28, 2006, Council conducted a public hearing on the blank annexation petition for Annexation Area No. 165 as required by state statute. At its August 15, 2006 workshop, Council directed staff to proceed with the annexation process for Annexation Area No. 165.

Community Benefit: The annexation of this approximately 19-acre area would require that any future development meet the Glendale General Plan requirements as well as all other development standards for the city. The proposed subdivision will increase the range of housing options within the city, and increase the value of the housing stock in the area.

Recommendation: Waive reading beyond the title and adopt an ordinance for Annexation Area No. 165.

16. [OFFICIAL SUPPLEMENTARY ZONING MAP ZMA-13](#)

Purpose: This is a request for City Council to approve Official Supplemental Zoning Map ZMA-13.

Council Strategic Goals Or Key Objectives Addressed: Zoning Map Amendments and accurate zoning district boundaries help achieve one community with strong neighborhoods and a city with high quality services for citizens.

Background: The “Official Zoning Map of the City of Glendale” is part of the Zoning Ordinance and identifies the official zoning district boundaries for all property within the city. The zoning district designations on the map can only be formally amended by Council through the adoption of an ordinance. Staff updates the map to reflect Council's approval of individual zoning applications as they are approved. These map updates are periodically brought to Council for a formal map amendment when rezoning stipulations have been completed.

Previous Council/Staff Actions: Council approved the nine rezoning applications shown on ZMA-13 between December 1994 and January 2006. Official Supplemental Zoning Map ZMA-13 will formally amend the zoning map to reflect these changes.

Community Benefit: The community benefits from the formal map amendment by providing accurate zoning district boundaries on the map.

Recommendation: Waive reading beyond the title and adopt the ordinance for Official Supplemental Zoning Map ZMA-13.

NEW BUSINESS

17. [REAPPOINTMENT OF PRESIDING JUDGE](#)

Purpose: This is a request for City Council to consider the reappointment of Elizabeth R. Finn as Presiding Judge.

Background: Elizabeth Finn has served as Presiding City Judge since March 25, 2003. Her current term expires March 25, 2007. She is eligible for reappointment to a two-year term. The Judicial Selection Advisory Board interviewed Judge Finn on January 25, 2007, reviewed letters of recommendation received on her behalf, evaluated the confidential survey results conducted by an outside research firm, and voted unanimously to recommend her for reappointment.

Public Input: Letters were received by members of the public and were distributed to the Mayor and Council in judicial reappointment informational packets.

Recommendation: Consider the reappointment of Elizabeth Finn as Presiding Judge for a two-year term beginning March 25, 2007 and ending March 24, 2009 and set the annual salary for the term.

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

CITIZEN COMMENTS

If you wish to speak on a matter concerning Glendale city government that is not on the printed agenda, please fill out a Citizen Comments Card located in the back of the Council Chambers and give it to the City Clerk before the meeting starts. The City Council can only act on matters that are on the printed agenda, but may refer the matter to the City Manager for follow up. Once your name is called by the Mayor, proceed to the podium, state your name and address for the record and limit your comments to a period of five minutes or less.

COUNCIL COMMENTS AND SUGGESTIONS

ADJOURNMENT

Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (i) discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- (ii) discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03 (A)(2));
- (iii) discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));
- (iv) discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (A)(4));
- (v) discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or
- (vi) discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).